FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL REVISION APPLICATION NO.65 OF 2006

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders

Mr.Harshal N.Mirashi for the applicant.

Mr.A.S.Shitole APP for the State.

Coram : R.S.Mohite,J

Date : 22.2.2006.

PC

1. This application impugns an order passed by the I Adhoc Addl.District Judge, Nashik, on 27.10.2005, allowing Rs.500/- per month as maintenance to the respondent no.2 and her son who is a minor. The point which was sought to be argued here is that the parties have signed a divorce deed dated 27.11.1993. In the divorce deed the wife had agreed to accept lumsum amount of Rs.10,000/- and give up all her rights of future alimony. The appellate Court has come to the conclusion that in the absence of

any custom of obtaining divorce by a written document, the document in question has not resulted in a divorce between the parties and that the document is of no avail. It is seen that on the day the document was executed the wife filed a pursis in the 125 proceedings stating that she does not want to proceed with the case and sought withdrawal of the application and her application was dismissed as withdrawn. The child is not added as a party in this revision. In the circumstances, as there is no perversity in the impugned order, the revision is rejected.

(R.S.Mohite,J)